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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

PETER JAY GERBER AND MIRIAM  
GOLDBERG,

Plaintiffs,

vs.

BAYER CORPORATION AND BAYER  
HEALTHCARE PHARMACEUTICALS,  
INC.; BMC DIAGNOSTICS, INC.;  
CALIFORNIA PACIFIC MEDICAL  
CENTER; GENERAL ELECTRIC  
COMPANY; GE HEALTHCARE, INC.; GE  
HEALTHCARE BIO-SCIENCES CORP.;  
McKESSON CORPORATION; MERRY X-  
RAY CHEMICAL CORP.; and DOES 1  
through 35

Defendants.

Case No: 3:07-cv-05918-JSW

**[PROPOSED] ORDER DENYING  
DEFENDANTS' MOTION TO STAY  
PROCEEDINGS**

Date: January 11, 2008  
Time: 9:00 a.m.  
Courtroom: 2

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1 Having considered the submissions of the parties on Defendants' Motion to Stay Proceedings:  
2 DEFENDANTS' Motion to Stay Proceedings is DENIED.  
3 IT IS SO ORDERED.  
4

5 Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Jeffrey S. White